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T-383 P.001/002 F-573

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|                 |  |                        |                             |
|-----------------|--|------------------------|-----------------------------|
| <b>Date</b>     | <b>Total pages</b>                           | <b>Attorney number</b> | <b>Client/matter number</b> |
| January 6, 2009 | 2  | 23395                  | J72167-X00253               |
| <b>To</b>       | <b>Company</b>                               | <b>Fax number</b>      | <b>Telephone</b>            |
|                 | USPTO  | 571.273.8300           |                             |
|                 | Board of Patent Appeals<br>and Interferences | 571.273.0299           |                             |
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| Andrew J. Baca  |  | 202.346.4444           | 202.346.4255                |

**Message:****Appeal No. 2009-0342  
Application No. 09/728,340  
Attorney Docket No. JPM-046  
Confirmation No. 5053**

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UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

GOODWIN PROCTER LLP  
901 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20001

Appeal No: 2009-0342  
Appellant: Tom Vicknair, Sam Beard, Richard Norman, Mark Riggelman,  
Application No: Max Roycroft, Dick Feagin, Cliff Day, Paulet al.  
Hearing Room: 09/728.340  
Hearing Docket: B  
Hearing Date: B  
Hearing Time: Tuesday, February 10, 2009  
Location: 09:00 AM  
Madison Building - East Wing  
600 Dulany Street, 9th Floor  
Alexandria, Virginia 22313-1450

NOTICE OF HEARING  
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

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In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: ☒ HEARING ATTENDANCE CONFIRMED

☐ HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

Registration No.

Names of other visitors expected to accompany counsel:

Steven Schreiner, Dr. Bill Mann

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see  
<http://www.uspto.gov/web/offices/tol/communications/visitors.htm>